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JUL 15 2003

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/835,119
		Filing Date	04/13/2001
		First Named Inventor	R. Kaddurah-Daouk
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	55	Attorney Docket Number	

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Third Party Submission In A Published Patent Application
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> SelfAddressed Postcard Requesting Acknowledgment Of Receipt
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Deposited With The United States Postal Service On July 15, 2003, With Sufficient Postage As Express Mail No. EV 291443735 US In An Envelope Addressed To Commissioner For Patents, PO Box 1450, Alexandria VA, 2213-1450	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eugene LeDonne Registration No. 35,930 ReedSmith, LLP
Signature	
Date	07/15/2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name			
Signature		Date	

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JUL 15 2003

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 310.00)

Complete if Known

Application Number	09/835,119
Filing Date	04/13/2001
First Named Inventor	R. Kaddurah-Daouk
Examiner Name	
Art Unit	
Attorney Docket No.	

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number: 50-1529
 Deposit Account Name: REED SMITH LLP

The Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)		0.00	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3*** =	X	=
					= 0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)		Fees Required By 37 CFR 1.17(i)	

Fees Required By 37 CFR 1.17(i)

180

130

SUBTOTAL (3) (\$ 310.00)

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Eugene LeDonne, Esq.	Registration No. (Attorney/Agent)	35,930	Telephone 212-521-5400
Signature			Date	July 15, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

R. Kaddurah-Dacouk and B.
Kristal

Serial No.: 09/835,119

Filed: April 13, 2001

Art Unit: Unknown

Examiner: Unknown

METHODS FOR DRUG DISCOVERY,
DISEASE TREATMENT, AND
DIAGNOSIS USING METABOLOMICS

THIRD PARTY SUBMISSION IN A PUBLISHED PATENT APPLICATION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.99, the undersigned hereby submits a previously issued PCT patent publication and an issued US patent which are believed to be relevant to the subject pending US patent application which was published on May 6, 2003 as US 2002/0009740. For the reasons presented below, the subject submission is considered to be in full compliance with the requirements of Paragraphs (a)-(f) of 37 CFR 1.99.

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

EXPRESS MAIL NO. EV 291443735 US

FACSIMILE

transmitted by facsimile on [date] to the U.S. Patent and Trademark Office.

Deposited with the United States Postal Service On July 15, 2003 with sufficient postage as Express Mail No. EV 291443735 US in an envelope addressed to, Commissioner for Patents, PO Box 1450, Alexandria VA, 22313-1450.

Ruth Montalvo

(Signature of person mailing paper or fee)

Type Signature Name

(Signature of person mailing paper or fee)

07/18/2003 GGEBREGI 00000027 09835119

01 FC:1806
02 FC:1460

180.00 DP
130.00 DP

(I) 37 CFR 1.99(a)

This is a submission of a PCT Patent Publication No. WO99/50347 and US Patent No. 6,558,955 which are considered to be relevant to the subject pending patent application. The submission is considered to be in full compliance with the requirements of 37 CFR 1.99.

(II) 37 CFR 1.99(b)

The fee set forth in 37 CFR 1.17(p) is enclosed with this submission. A copy of PCT Patent Publication No. WO99/50347 and US Patent No. 6,558,955, which are the subject of this submission, are respectively attached hereto as Exhibits A and B.

(III) 37 CFR 1.99(c)

This submission was served on applicant's counsel of record on even date herewith in accordance with 37 CFR 1.248. A Proof of Service is attached hereto as Exhibit C.

(IV) 37 CFR 1.99(d)

This submission does not include any explanation of either PCT Patent Publication No. WO99/50347 or US Patent No. 6,558,955. Moreover, this submission is limited to two items.

(V) 37 CFR 1.99(e)

This submission has not been filed within two months from the date of publication of the subject patent application or prior to the mailing of the notice of allowance, whichever is earlier. This was not possible given that the two enclosed submissions were not discovered until sometime after May 6, 2003, the date on which US Patent No. 6,448,955 was issued by the USPTO. In view of this event, the processing fee required by 37 CFR 1.17(i) is enclosed.

(VI) 37 CFR 1.99(f)

A self-addressed postcard requesting the USPTO to acknowledge receipt of the subject submission has also been enclosed with this filing.

The Commissioner is respectfully requested to enter the subject submission into the file history of the subject application.

Respectfully submitted,

Eugene LeDonne
Reg. No. 35,930

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